

C. Marie Eckert, OSB No. 883490

marie.eckert@millernash.com

Jeanne Kallage Sinnott, OSB No. 075151

jeanne.sinnott@millernash.com

MILLER NASH LLP

111 S.W. Fifth Avenue, Suite 3400

Portland, Oregon 97204-3699

Telephone: (503) 224-5858

Fax: (503) 224-0155

Attorneys for Defendant/Third-Party Plaintiff

U.S. Bank National Association

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

**ROBERTA KELLY and D. LAWRENCE
OLSTAD,**

CV 08-1421-AC

Plaintiffs,

v.

**U.S. BANK NATIONAL ASSOCIATION'S
MOTION TO STRIKE APPENDIX AND
EXHIBITS**

**U.S. BANK; BISHOP, WHITE &
MARSHALL, P.S.,** a Washington
Professional Services Company; and
KRISTA WHITE,

Defendants.

U.S. BANK NATIONAL ASSOCIATION,

Third-Party Plaintiff,

v.

CITY OF PORTLAND, a municipal
corporation; and **MORTGAGE
ELECTRONIC REGISTRATION
SYSTEMS, INC.,** an inactive Oregon

corporation, **CREDIT CARD
RECEIVABLES FUND
INCORPORATED**, an Ohio corporation
doing business as UNIFUND CCR
PARTNERS, and **ZB LIMITED
PARTNERSHIP**, a Delaware limited
partnership doing business as UNIFUND
CCR PARTNERS,

Third-Party Defendants.

MOTION

Defendant U.S. Bank National Association moves this court for an order striking exhibits to plaintiffs' memorandum of law opposing defendant U.S. Bank's motion for summary judgment (the "Response") and plaintiffs' supplementary memorandum of law opposing defendant U.S. Bank's motion for summary judgment (the "Supp. Response").

Specifically, U.S. Bank moves the court for an order striking from the record the following exhibits:

- Appendix A to the Response;
- Exhibits 1 through 3 to the Response;
- Exhibits 5 through 23 to the Response; and
- All exhibits to the Supp. Response.

///

///

///

///

///

///

///

///

///

This motion is supported by the accompanying memorandum of law, and the pleadings and files in this case.

DATED this 17th day of March, 2010.

MILLER NASH LLP

/s/ Jeanne Kallage Sinnott

C. Marie Eckert, OSB No. 883490

marie.eckert@millernash.com

Jeanne Kallage Sinnott, OSB No. 075151

jeanne.sinnott@millernash.com

Telephone: (503) 224-5858

Fax: (503) 224-0155

Attorneys for Defendant

U.S. Bank National Association

I hereby certify that on the date set forth below I served the foregoing U.S. Bank National Association's motion to strike appendix and exhibits on:

Mr. D. Lawrence Olstad
5109 N.E. Ainsworth Street
Portland, Oregon 97218
E-mail: larry@mortgagegaleria.com
Plaintiff Pro Se

Ms. Roberta Kelly
200 Coyote Lane
Castle Rock, Washington 98611
E-mail: roberta@mortgagegaleria.com
Plaintiff Pro Se

By First-Class Mail, postage prepaid, and on:

Mr. David A. Weibel, OSB No. 082316
Bishop, White & Marshall, P.S.
720 Olive Way, Suite 1301
Seattle, Washington 98101
Fax: (206) 622-0354
E-mail: dweibel@bwmlegal.com
*Attorney for Defendants Bishop,
White & Marshall, P.S., and
Krista White*

By CM/ECF system transmission.

DATED this 17th day of March, 2010.

/s/ Jeanne Kallage Sinnott
Jeanne Kallage Sinnott, OSB No. 075151
jeanne.sinnott@millernash.com
Fax: (503) 224-0155
*Attorneys for Defendant/Third-Party Plaintiff
U.S. Bank National Association*